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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **WESTERN DIVISION**

11 JOSE LUNA,

12 Petitioner,

13 v.

14 A.J. MALFI, Warden,

15 Respondent.
16

No. CV 07-148-DMG (AGR)

ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND
RECOMMENDATION

17 On January 19, 2010, by order of the Chief Judge, this case was reassigned to
18 this Court.

19 Pursuant to 28 U.S.C. § 636, the Court has reviewed the entire file *de novo*,
20 including the Petition, the Magistrate Judge's Report and Recommendation, the
21 Objections to the Report and Recommendation, and all records in the file. Having
22 made a *de novo* determination, the Court agrees with the recommendation of the
23 Magistrate Judge.

24 IT IS ORDERED that Judgment be entered denying the Petition and dismissing
25 this action with prejudice.

26
27 DATED: April 13, 2010

28 
DOLLY M. GEE
United States District Judge